IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,	
Plaintiff,	4:18-CR-3005
vs. TAYLOR MICHAEL WILSON, Defendant.	ORDER
UNITED STATES OF AMERICA, Plaintiff,	4:18-CR-3074
vs.	ORDER
TAYLOR WILSON,	
Defendant.	

The defendant has a pending motion for the return of seized property pursuant to Fed. R. Crim. P. 41(g). Case no. 4:18-cr-3005 filing 49; case no 4:18-cr-3074 filing 32. He has now filed motions for "default judgment" pursuant to Fed. R. Civ. P. 55 based on the government's purported failure to respond. Case no. 4:18-cr-3005 filing 55; case no 4:18-cr-3074 filing 39.

It is highly questionable whether Federal Rule of <u>Civil</u> Procedure 55 has any bearing on the defendant's motion pursuant to Federal Rule of <u>Criminal</u> Procedure 41(g). But the government <u>did</u> respond. Case no. 4:18-cr-3005 filing 56; case no 4:18-cr-3074 filing 38. Even if a default judgment was somehow appropriate, the government didn't default.

The problem here could be clerical—the government may have neglected to provide the defendant with a mailed copy of its response. Accordingly, the Court will deny the defendant's motions for default judgment, but will provide him with a copy of the government's response and additional time to reply in support of his motion.

IT IS ORDERED:

1. The defendant's motions for default judgment (case no. 4:18-

cr-3005 filing 55; case no 4:18-cr-3074 filing 39) are denied.

2. The Clerk of the Court shall provide the defendant with a

copy of this order along with a copy of the government's

response brief (case no 4:18-cr-3074 filing 38).

3. The defendant may reply in support of his motion for the

return of seized property (case no. 4:18-cr-3005 filing 49; case

no 4:18-cr-3074 filing 32) on or before November 13, 2020.

Dated this 27th day of October, 2020.

BY THE COURT:

øhn M. Gerrard

 ℓ hief United States District Judge